

May 20, 2003

GREG RODRIGUEZ  
EXECUTIVE DIRECTOR  
KING COUNTY DEMOCRATS  
616 1<sup>ST</sup> AVE STE 350  
SEATTLE WA 98104

Subject: Complaint Filed Against Senator Pam Roach, PDC Case No. 03-024

Dear Mr. Rodriguez:

The Public Disclosure Commission staff has completed its investigation of your complaint received August 12, 2002 alleging that the Citizens for Pam Roach campaign failed to file C-3 and C-4 reports and that Senator Roach failed to timely file Surplus Fund Account reports.

The PDC staff reviewed your allegations in light of the following statutes:

**RCW 42.17.020(41)** defines surplus funds as contributions that were collected for a particular election, remain unspent after that election, and are not needed to pay outstanding debts incurred for that election.

**RCW 42.17.060** authorizes candidates to invest surplus funds in bonds, certificates, tax-exempt securities, or savings accounts or other similar instruments in financial institutions or mutual funds other than the campaign bank account.

**RCW 42.17.080 and .090** require candidates appearing on the primary and general election ballots to file frequent and detailed reports of contribution and expenditure activities.

**RCW 42.17.090** requires elected officials to file expenditure reports if surplus funds are spent.

You alleged that Citizens for Pam Roach failed to file C-4 reports for the period September 6 through November 30, 2001 and January 1, 2002 through March 31, 2002 and that the campaign did not file C-3 reports for prior receipts of \$2,072.42 that was reportedly received between September 6 and November 30, 2001.

We found that:

- Senator Roach became a candidate for re-election to the state Senate in 2002 when she accepted campaign contributions on July 12, 2000.
- Citizens for Pam Roach failed to timely report early campaign transactions. C-3 reports for three deposits made between August 2000 and January 2001 totaling \$3,458.54 were filed on March 24, 2003. Additionally, reductions to the campaign bank account totaling \$1,354.14 during 2000 and 2001 were not reported.
- Tabitha Wells was treasurer for Citizens for Pam Roach 2002 campaign from the Spring of 2002 until the end of the campaign when the final report was filed in December 2002. Ms. Wells stated that she joined after a few paper reports had been filed by the campaign. Ms. Wells initiated electronic filing on May 10, 2002. Ms. Wells explained that the C-3 report electronically filed on June 10, 2002 that reflected a transfer of \$4,450.07 remaining from the 1998 campaign was actually the campaign's account balance when she joined the campaign, not surplus from 1998. Thus, the early deposits to the campaign account not timely reported by the campaign were included in its C-4 totals even though the C-3 reports were filed at the end of the campaign.
- Citizens for Pam Roach failed to timely file two C-4 reports – one was one day late and the other was two days late.
- Citizens for Pam Roach reported total campaign receipts of \$183,716.74 and total campaign expenditures of \$164,942.64.

Citizens for Pam Roach timely filed the majority of its C-3 and C-4 reports. The deposits totaling \$3,458.54 for which C-3 reports were not timely filed amounts to 2% of the total campaign receipts. Additionally, Citizens for Pam Roach has not accounted for 13 small expenditures totaling \$1,354.14, which amounts to 1% of the total campaign expenditures. While the PDC does not condone late-filed reports or failure to report campaign transactions, the late-filed reports and non-reporting of expenditures in this instance do not merit further enforcement action. Citizens for Pam Roach will be cautioned to ensure that complete C-3 and C-4 reports are timely filed in future campaigns.

Your complaint also alleged that Senator Roach failed to report her surplus funds account activity.

We found that:

- Senator Roach ended her 1998 senate campaign with a surplus balance.

- Senator Roach, in a December 17, 1999 memo, stated that she had created a surplus funds account on December 10, 1998 and deposited the 1998 surplus into that account.
- Senator Roach filed a C-4 report for her surplus funds account on September 18, 2002 and reported expenditures through September 13, 2002.
- Senator Roach failed to notify the PDC when transfers were made between the surplus funds checking and investment accounts.

It appears that Senator Roach has reported all surplus funds account transactions from the inception of the account through September 13, 2002. Senator Roach will be cautioned to notify the PDC when transfers are made between the surplus funds checking and investment accounts.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against Senator Pam Roach and the 2002 Citizens for Pam Roach campaign.

Sincerely,

Vicki Rippie  
Executive Director

c: Senator Pam Roach